

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	CR. NO. 1:CR-01-018
)	
v.)	
)	(Judge Rambo)
GEOVANI DAVILA,)	
)	
Defendant.)	(ELECTRONICALLY FILED)

EXHIBITS IN SUPPORT OF BRIEF OF UNITED STATES IN
OPPOSITION TO PETITIONER'S MOTION TO VACATE, SET ASIDE
OR CORRECT SENTENCE
BY A PERSON IN FEDERAL CUSTODY

Thomas A. Marino
UNITED STATES ATTORNEY

Gordon A.D. Zubrod
ASSISTANT U.S. ATTORNEY

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ATTACHMENT A

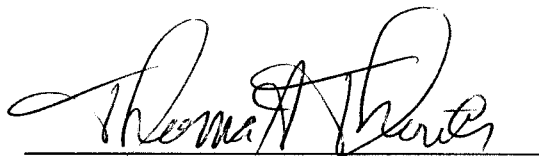
AFFIDAVIT OF ASSISTANT FEDERAL
PUBLIC DEFENDER THOMAS A. THORNTON

I was appointed to represent Geovani Davila in all proceedings before the district court. Mr. Davila had numerous physical ailments. I recall he was hard of hearing in one ear. I met with Mr. Davila on numerous occasions. While I spoke loudly to help him hear, we did not have any trouble communicating. Mr. Davila heard and understood the court during the plea and sentencing. I did not gesture to Mr. Davila, nor tell him what to say during his colloquy with the court.

Mr. Davila proposed an alibi defense in that he asserted that he lived with his mother and not at the address where the heroin was sold. Although he did admit that he frequented the room and home where the heroin was sold. Mr. Davila gave us the name of his mother and sister to support his alibi claim. Upon investigation it was determined that neither witness could support Mr. Davila's claim of alibi. Mr. Davila also insisted that we not call his mother or other witnesses to testify due to health problems.

The foregoing statement is true and correct to the best of my knowledge and belief.

Dated:

A handwritten signature in black ink, appearing to read "Thomas A. Thornton", written over a horizontal line.

THOMAS A. THORNTON
ASSISTANT FEDERAL PUBLIC DEFENDER
MIDDLE DISTRICT OF PENNSYLVANIA

ATTACHMENT B



cc: Ct, USA, USP, as, Dept, (P)

Gordon J

January 25, 2001

U.S. District Court
P.O. Box 983
Harrisburg, PA 17108-0983

1:01CR018

FILED
HARRISBURG, PA
Removal papers
JAN 30 2001

MARY E. D'ANDREA, CLERK
Per *[Signature]*
Deputy Clerk

RE: USA v. JOHN DOE
01-64-M

Dear Clerk:

We herewith enclose the original record, together with a certified copy of the docket entries, in the above captioned case which has been transferred to your District pursuant to Order of the Court.

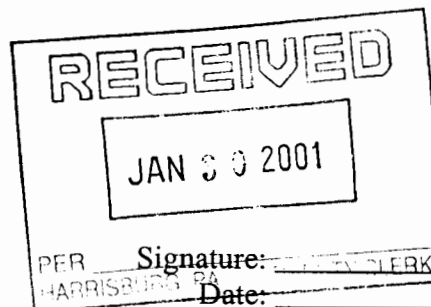
Kindly acknowledge receipt on the copy of the letter provided.

Very truly yours,

MICHAEL E. KUNZ
Clerk of Court

By: *[Signature]*
Anne L. Rea, Deputy Clerk

Received above material or record file this day of ,



CLOSED

U.S. District Court
U.S. District Court of Eastern Pennsylvania (Philadelphia)

CRIMINAL DOCKET FOR CASE #: 01-M -64-1

USA v. JOHN DOE
Case Assigned to: Judge Unassigned
Dkt# in other court: None

Filed: 01/24/01

JOHN DOE
aka
GIOVANNI
aka
JOVANTE
DEFENDANT
[term 01/25/01]

DEF. ASSOC.
[term 01/25/01]
FAX 215-925-4024
[COR LD NTC pda]
THE CURTIS CENTER BUILDING
SUITE 540 WEST
INDEPENDENCE SQUARE WEST
PHILADELPHIA, PA 19106

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints

Disposition

Conspiracy to distribute
heroin in an overdose death.

Docket as of January 25, 2001 2:16 pm

Page 1

TRUE COPY CERTIFIED TO FROM THE RECORD
DATED: 1-25-01
ATTEST: [Signature]
DEPUTY CLERK, UNITED STATES DISTRICT COURT
PHILADELPHIA, PENNSYLVANIA

Proceedings include all events.

2:01m 64-1 USA v. JOHN DOE

CLOSED

JOHN DOE, also known as GIOVANNI, also known as JOVANTE

DEFENDANT

=====

USA

PLAINTIFF

U. S. Attorneys:

CRAIG D. MARGOLIS

[COR LD NTC]

UNITED STATES ATTORNEY'S OFFICE

615 CHESTNUT STREET

SUITE 1250

PHILA, PA 19106-4476

USA

TEL 215-861-8311

Proceedings include all events.

2:01m 64-1 USA v. JOHN DOE

CLOSED

1/24/01 -- Arrest (Rule 40) of JOHN DOE received from USDC for the Middle District of Pennsylvania. (rs) [Entry date 01/25/01]

1/24/01 1 ORDER APPOINTING DEFENDERS ASSOCIATION OF PHILADELPHIA for JOHN DOE . (SIGNED BY MAGISTRATE JUDGE JAMES R. MELINSON), 1/25/01 ENTERED AND COPIES MAILED AND FAXED. (rs) [Entry date 01/25/01]

1/24/01 2 CJA 23 Financial Affidavit by JOHN DOE . (rs) [Entry date 01/25/01]

1/24/01 -- Initial appearance as to JOHN DOE HELD (Defendant informed of rights.) (rs) [Entry date 01/25/01]

1/24/01 3 Minute entry as to JOHN DOE re: No Bail set, Deft. ordered detained pending removal to Middle district of Pa.. (JRM) (rs) [Entry date 01/25/01]

1/24/01 4 Waiver of Rule 40 Hearings by JOHN DOE. (rs) [Entry date 01/25/01]

1/24/01 5 ORDER THAT THE DEFT. BE DETAINED PENDING REMOVAL TO THE MIDDLE DISTRICT OF PA.. THE CLERK IS DIRECTED TO TRANSMIT ALL ORIGINAL DOCUMENTS TO MIDDLE DISTRICT OF PA. (SIGNED BY MAGISTRATE JUDGE JAMES R. MELINSON), 1/24/01 ENTERED AND COPIES MAILED AND FAXED. (rs) [Entry date 01/25/01]

1/25/01 -- Original record together with certified copy of docket entries as to JOHN DOE forwarded to District MIDDLE DISTRICT OF PENNSYLVANIA. (ar) [Entry date 01/25/01]

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

5

UNITED STATES OF AMERICA

DOCKET NO.

v.

JOHN DOE a/k/a Giovanni a/k/a Jovanti
a/k/a Giovanni Davila

01-64-M-1

FILED

JAN 24 2001

MICHAEL E. ROME, Clerk

Dep. Clerk

FINDINGS AND ORDER OF REMOVAL By

AND NOW, this 24th day of January, 2001, upon application of the United States,
the defendant having waived a hearing thereon, it is hereby

ORDERED

that the defendant, JOHN DOE a/k/a Giovanni a/k/a Jovanti a/k/a Giovanni Davila, be
DETAINED PENDING REMOVAL in the above case to the Middle District of Pennsylvania,
pursuant to Federal Rule of Criminal Procedure 40(f).

The Clerk of Court is directed to transmit all original documents to the Middle
District of Pennsylvania.

BY THE COURT:


JAMES R. MELINSON
CHIEF UNITED STATES MAGISTRATE JUDGE

rec: USM - C. Magalis, Defense

BAIL STATUS SHEET - Initial Appearance (Rule 40)

JAMES R. MELINSON
CHIEF U.S. MAGISTRATE JUDGE

DATE: 1/24/01

ESR Operator: Jerry LaRosa

UNITED STATES OF AMERICA

Craig Margolis
Assistant U.S. Attorney

v.

Criminal No.

Magistrate No. 01-64-M

FILED

JOHN DOE a/k/a Giovanni a/k/a Jovanti
Defendant

Michael Kelly (Def.)
Defense Counsel

By MICHAEL E. KELLY, Clerk
Dep. Clerk

After hearing held this day pursuant to the Federal Rules of Criminal Procedure, Rule 40, or after hearing pursuant to defendant's motion, the bail status as to the above-named defendant is as follows:

No Bail is SET - Defendant ordered detained pending removal to the Middle District of Pa.

Bail is reduced to \$

Other Change or Conditions:

PLEA: NOT GUILTY TO COUNT(S)

BY:

Patricia M. Furlong
Patricia M. Furlong, Esquire
Clerk

No INTERPRETER REQUIRED

Cr 21 (3/81)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

1

UNITED STATES OF AMERICA

CRIMINAL NO.

v.

John Doe a/k/a Giovanni a/k/a Jovanti
Giovani Davila - true name

01-64-M

ORDER

FILED

JAN 24 2001

Melinson, Clerk

By

[Signature]

Clerk

AND NOW, to wit, this 24th day of January, 2001, the above-named defendant having been examined and testified under oath or has otherwise satisfied the Court that he or she: (1) is financially unable to obtain representation by counsel, and (2) does not wish to waive counsel, and because the interests of justice so require, it is

ORDERED that Defender Association of Philadelphia, Federal Court Division, is hereby appointed pursuant to Title 18, § 3006A to represent said defendant in the above matter, said appointment shall remain in effect until terminated or a substitute attorney is appointed.

JAMES R. MELINSON
CHIEF U.S. MAGISTRATE JUDGE

or BY ORDER OF THE COURT

[Signature: Patricia M. Hurlong]
Clerk

DEFENDANT'S ADDRESS:
(in federal custody)

IN SUPPORT OF REQUEST FOR ATTORNEY FEE OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES
IN THE CASE OF☐ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

FOR

AT

LOCATION NUMBER

(2)

PERSON REPRESENTED (Show your full name)

DAVILA, GIOVANI

CHARGE/OFFENSE (describe if applicable & check box →) ☒ Felony ☐ Misdemeanor

- 1 ☒ Defendant - Adult
 2 ☐ Defendant - Juvenile
 3 ☐ Appellant
 4 ☐ Probation Violator
 5 ☐ Parole Violator
 6 ☐ Habeas Petitioner
 7 ☐ 2255 Petitioner
 8 ☐ Material Witness
 9 ☐ Other (Specify) _____

DOCKET NUMBERS

Magistrate

01-64-m

District Court

Court of Appeals

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

ASSETS	EMPLOYMENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Am Self Employed
		Name and address of employer: _____
		IF YES, how much do you earn per month? \$ _____ IF NO, give month and year of last employment _____ How much did you earn per month? \$ _____
		If married Is your Spouse employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, how much does your Spouse earn per month? \$ _____ If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$ _____
OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES RECEIVED _____ SOURCES _____	
CASH	Have you any cash on hand or money in savings or checking account <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, state total amount \$ _____	
	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
PROPERTY	IF YES, GIVE THE VALUE AND DESCRIBE IT VALUE _____ DESCRIPTION _____ _____	

OBLIGATIONS & DEBTS	DEPENDENTS	MARITAL STATUS <input checked="" type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED <input type="checkbox"/> WIDOWED <input type="checkbox"/> SEPARATED OR DIVORCED	Total No. of Dependents 0	List persons you actually support and your relationship to them _____ _____ _____	
		DEBTS & MONTHLY BILLS (LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)	APARTMENT OR HOME Rent \$22 per	Creditors	Total Debt
				\$	\$ 200
				\$	\$ 748.00
				\$	\$
				\$	\$

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date) 01/24/05

SIGNATURE OF DEFENDANT
(OR PERSON REPRESENTED)

Giovanni Davila

AO 466 (1/86) Waiver of Rule 40 Hearings

24

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

: **WAIVER OF RULE 40 HEARINGS**
: **(Excluding Probation Cases)**

vs.

JOHN DOE, a/k/a Giovanni, a/k/a Jovante

: CASE NO. 01-64-M

FILED

JAN 24 2001

By Michael J. Kelly Clerk
Deputy Clerk

I, GAOVANI DAVIDA, understand that in the Middle District of Pennsylvania, charges are pending alleging violation of 21:846,841(a)(1) and (b)(1)(c) and that I have been arrested in this District and taken before a United States Magistrate Judge, who informed me of the charge and of my right to:

(1) retain counsel or request assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- () identity hearing
- () preliminary examination
- ☒ identity hearing and have been informed I have no right to a preliminary examination
- () identity hearing but request a preliminary examination to be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

Giovanni David
Defendant

Michael Kelly
Defense Counsel

1/24/01
Date

AO 442 (Rev. 5/93) Warrant for Arrest

ORIGINAL
COPY

United States District Court

MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

WARRANT FOR ARREST

v.

CASE NUMBER: 1:CR-01-018

JOHN DOE, a/k/a Giovanni, a/k/a Jovante

Judge Sylvia H. Rambo

FILED

JAN 24 2001

MICHAEL A. KONEZ, Clerk

By [Signature] Dep. ClerkTo: The United States Marshal
and any Authorized United States OfficerYOU ARE HEREBY COMMANDED to arrest JOHN DOE, a/k/a Giovanni, a/k/a Jovante

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of Court ☐ Violation Notice ☐ Probation Violation Petition
charging him or her with Conspiracy to distribute heroin, resulting in an overdose death

In violation of Title 21 United States Code, Section(s) 846, 841(a)(1) and (b)(1)(C)

Mary E. D'Andrea

Name of Issuing Officer

Signature of Deputy Clerk

Clerk, U.S. District Court

Title of Issuing Officer

January 17, 2001 at Harrisburg, PA

Date and Location

Bail fixed at \$ _____

by _____
Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

CR. NO. 1:CR-01-018

V.

JOHN DOE, a/k/a "GIOVANNI",
a/k/a "JOVANTE"

(Ramco)
FILED
HARRISBURG, PA
JAN 17 2001
MARY E. D'AMOREA, CLERK
Per [Signature]
Deputy Clerk

ORDER FOR WARRANT

AND NOW, this 17 day of January, 2001, upon request of David M. Barasch, United States Attorney for the Middle District of Pennsylvania, it is hereby

ORDERED that a Warrant be issued for the arrest of the above-named Defendant, JOHN DOE, a/k/a "GIOVANNI", a/k/a "JOVANTE", and a United States Magistrate is authorized and directed to conduct a hearing, under the Bail Reform Act of 1984 for the purpose of determining what bail, if any, is necessary in order to insure the presence of the Defendant in this case.

IT IS FURTHER ORDERED that at the time service of the Warrant is made, the United States Marshal also serves upon the Defendant a certified copy of the Indictment in the above-named case.

[Signature]
U.S. DISTRICT COURT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

CRIMINAL NO. 1:CR-01-018

v.)

J. RAMBO

JOHN DOE, a/k/a
"GIOVANNI",
a/k/a "JOVANTE"

INDICTMENT

COUNT I

FILED
HARRISBURG, PA

JAN 17 2001

MARY E. D'ANDREA, CLERK
Per [Signature]
Deputy Clerk

Conspiracy to distribute heroin, resulting in an overdose death

THE GRAND JURY CHARGES THAT:

1. Beginning on or about dates unknown to the Grand Jury and continuing up through on or about December, 2000, in Mifflin County, within the Middle District of Pennsylvania, and elsewhere the defendant


JOHN DOE, a/k/a "GIOVANNI", a/k/a "JOVANTE"

along with individuals known and unknown to the Grand Jury, knowingly and intentionally combined, conspired, confederated and agreed together to knowingly and intentionally distribute, and possess with intent to distribute, heroin, a Schedule I controlled substance.

2. In furtherance of this conspiracy and to attain the objects thereof the defendant and his co-conspirators engaged in, and aided and abetted in, numerous distributions of heroin including a distribution of heroin on or about November 24, 2000, which distribution resulted in the death of an individual in Mifflin County Pennsylvania as a result of the use of the heroin.

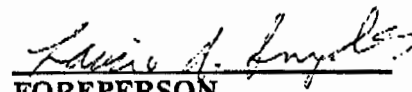
Certified from the record
Date 1-17-01
Mary E. D'Andrea, Clerk
Per [Signature]
Deputy Clerk

All in violation of Title 21, United States Code, Sections 846, 841(a)(1) and (b)(1)(C).



DAVID M. BARASCH
United States Attorney

A TRUE BILL



FOREPERSON,
Grand Jury

1/17/01
Date

DMB:GADZ:all

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

CRIMINAL NO. 1:CR-01-018

v.

(Rambo, J.)

JOHN DOE, a/k/a "GIOVANNI",
a/k/a "JOVANTE"

ORDER

FILED
HARRISBURG, PA
JAN 17 2007
MARY E. D'ANDREA, CLERK
Per Deputy Clerk

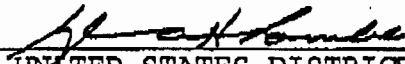
IT IS ORDERED that the Clerk of Court provide the United States Attorney's Office with two (2) certified copies of the accompanying documents and thereafter keep these documents from public view until the Clerk has made appropriate docket entries.

IT IS FURTHER ORDERED that these documents only be opened by appropriate Court personnel of the Middle District of Pennsylvania in due course of performing the business of the Clerk's Office, after which the Clerk is ordered to seal this Order and all accompanying documents until:

[] Notified in writing by the United States Attorney's Office that there is no longer any reason for the documents to remain sealed;

[] Further Order of the Court; or

☒ The person(s) named in these documents (has)
(~~all have~~) been arrested. If there is a
continued need for the documents to remain
sealed after arrest, the United States
Attorney's Office shall file a motion to that
effect and a proposed order.


☒ UNITED STATES DISTRICT JUDGE
☐ UNITED STATES MAGISTRATE JUDGE

Date: 1/17/01

ATTACHMENT C

U.S. Department of Justice**Thomas A. Marino***United States Attorney**Middle District of Pennsylvania*

*William J. Nealon Federal Building
Suite 311
235 N. Washington Avenue
P.O. Box 309
Scranton, PA 18501-0309
(570) 348-2800
FAX (570) 348-2816/348-2830*

*Harrisburg Federal Building and
Courthouse, Suite 220
228 Walnut Street
P.O. Box 11754
Harrisburg, PA 17108-1754
(717) 221-4482
FAX (717) 221-4582/221-2246*

*Herman T. Schneebeli Federal Building
Suite 316
240 West Third Street
Williamsport, PA 17701-6465
(570) 326-1935
FAX (570) 326-7916*

September 13, 2005

AUSA Gordon Zubrod
Harrisburg Federal Building
Suite 220
228 Walnut Street
Harrisburg, Pa 17108

Dear AUSA Zubrod:

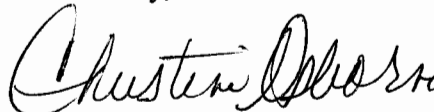
I submit this letter to you to attest that Attorney Steven Snook was appointed as a Special Assistant United States Attorney to the Middle District of Pennsylvania effective June 4, 1999. SAUSA Snook's initial appointment expired June 4, 2000, at which time there was a break in his appointment. However, he was re-appointed effective December 6, 2000 and has been continuously appointed to the present date.

Listed below, I am providing you with a breakdown of SAUSA Snook's initial appointment and extensions.

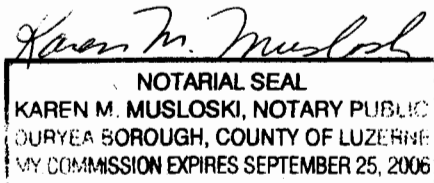
	Effective Date	Expiration Date
Initial appointment	June 4, 1999	June 4, 2000
Break in appointment	June 4, 2000	Dec 6, 2000
Appointment	Dec 6, 2000	Nov 13, 2001
Extension	Nov 14, 2001	Nov 13, 2002
Extension	Nov 14, 2002	Nov 13, 2003
Extension	Nov 14, 2003	Nov 13, 2005

If you have any questions at all regarding this statement, please contact me at (570)348-2807, ext 245.

Sincerely,



Christine Osborne
Human Resources Officer



9/13/05

ATTACHMENT D

PROBABLE CAUSE AFFIDAVIT

I, Mark D. Andrasi, am a Special Agent with the Drug Enforcement Administration, U.S. Department of Justice and have been employed as such since August of 1991. Your affiant under penalty of perjury, states the following facts to the court.

1. In December 2000 your affiant initiated an investigation which targeted Geovani DAVILA, DOB-11/6/69, SSN 583-21-6203 who during the investigation resided at 503 N.Dauphin St. 2nd floor rear, Philadelphia, PA. The investigation established that DAVILA was part of a heroin distribution organization, which was responsible for the distribution of heroin in the Middle District of Pennsylvania which ultimately resulted in several heroin induced overdoses in the area, including the death of Josh Woods on or about 24 November 2000.

2. During the course of the investigation, your affiant and other law enforcement officers interviewed numerous individuals to include: Martina Molek, William Corson, Robert Wheeler, John Snyder, Travis Musser and Mifflin County Drug Task Force CI-0101. During the aforementioned interviews, the individuals interviewed stated that they either spoke to DAVILA on the telephone or in person. None of the individuals interviewed stated that DAVILA had difficulty hearing or understanding them.

3. On 24 January 2001 your affiant and other law enforcement officers arrested DAVILA at his residence in Philadelphia, PA.

Prior to DAVILA's arrest, your affiant, Sgt. Jerry Deacon, Officer Steve Hellmuth and TFO Joe Sorano knocked on the door of DAVILA's residence, after several seconds DAVILA opened the door and was taken into custody. After speaking to DAVILA for several minutes, TFO Sorano and your affiant received written consent from DAVILA to search his residence. After the discovery of heroin in DAVILA's apartment, DAVILA asked that the search be stopped. Following his arrest, DAVILA was transported to the DEA Philadelphia office where he was advised of his rights by Trooper Craig Snyder. DAVILA stated that he did not want to speak to authorities without his attorney being present. During your affiant's contact with DAVILA, DAVILA responded to all questions he was asked and his answers were appropriate to the questions he was asked.

4. your Affiant states that under penalty of perjury the above facts are true to the best of his knowledge information and belief.



Mark D. Andrasi
Special Agent
Drug Enforcement Administration

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	CR. NO. 1:CR-01-018
)	
v.)	
)	(Judge Rambo)
GEOVANI DAVILA,)	
)	
Defendant.)	(ELECTRONICALLY FILED)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this 20th day of September, 2005, she served a copy of the attached

**EXHIBITS IN SUPPORT OF BRIEF OF UNITED STATES IN
OPPOSITION TO PETITIONER'S MOTION TO VACATE, SET ASIDE
OR CORRECT SENTENCE
BY A PERSON IN FEDERAL CUSTODY**

via electronic filing and/or by placing said copy in a postpaid envelope addressed to the person(s) hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

Dennis E. Boyle, Esquire
1525 Cedar Cliff Drive
Camp Hill, PA 17011

/s/ Carol A. Manies
CAROL A. MANIES
Legal Assistant